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5 Attorney for Plaintiff
6 JOHN RODGERS

7 UNITED STATES DISTRICT COURT

8 NORTHERN DISTRICT OF CALIFORNIA

9

10 JOHN RODGERS,

11 Plaintiff,

12 vs.

13 DANA PLAZA SHOPPING CENTER,
14 ALESCO II LLC, JOHN J. MCPHEE, LAURA
M. MCPHEE, and DOES 1-50, Inclusive.

15 Defendants.

Case No.: C14-02915 DMR
Civil Rights

16

17 **STIPULATION FOR DISMISSAL OF
ACTION; ~~PROPOSED~~ ORDER**

18 **STIPULATION**

19 Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, plaintiff JOHN
RODGERS ("Plaintiff") and defendants DANA PLAZA SHOPPING CENTER, ALESCO II
LLC, JOHN J. MCPHEE, and LAURA M. MCPHEE ("Defendants"), by and through their
respective attorneys of record, stipulate that:

20 1. This case has been settled and all issues and controversies between the parties
21 have been resolved to their mutual satisfaction pursuant to the terms of a Settlement Agreement
22 and General Release ("Settlement Agreement") entered into between the parties;

23 2. Plaintiff's Complaint in the above-entitled action shall be dismissed with
24 prejudice as against all Defendants;

1 3. The parties consent to and request that the Court retain jurisdiction to enforce the
2 Settlement Agreement for a period of 18 months after the date hereof, under the authority of
3 *Kokonen v. Guardian Life Ins. Co.*, 511 U.S. 375, 381-82 (1994); and

4 4. Outside the terms of the Settlement Agreement, all parties shall bear his, her, or
5 its own costs and fees in the action.

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7 **IT IS SO STIPULATED.**

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9 Dated: March 20, 2015

RONALD B. REISS, ATTORNEY AT LAW

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11 By: _____/S/
12 Ronald B. Reiss
13 Attorney for Plaintiff JOHN RODGERS

14 Dated: March 20, 2015

COOPER, WHITE AND COOPER LLP

15
16 By: _____/S/
17 Scott M. McLeod
18 Attorney for Defendants ALESCO II, LLC, JOHN
19 J. MCPHEE, and LAURA M. MCPHEE
20 y

ORDER

The parties having so stipulated,

IT IS HEREBY ORDERED that:

1. Plaintiff's Complaint in the above-entitled action shall be dismissed with prejudice as against all Defendants;

2. By consent of the parties, the Court shall retain jurisdiction in this matter for the purpose of enforcing the terms of the Settlement Agreement for a period of 18 months from the date hereof; and

3. All parties shall bear his, her, or its own costs and fees in the action.

Dated: March 25 , 2015

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HON. DONNA M. RYU
U.S. MAGISTRATE JUDGE